

LEGISLATIVE BILL 11

Approved by the Governor February 10, 2011

Introduced by Executive Board: Wightman, 36, Chairperson.

FOR AN ACT relating to the Employment Security Law; to amend section 48-631, Reissue Revised Statutes of Nebraska; to correct a recodification internal reference error from 1943; and to repeal the original section.

Be it enacted by the people of the State of Nebraska,

Section 1. Section 48-631, Reissue Revised Statutes of Nebraska, is amended to read:

48-631 The deputy may reconsider a determination whenever he or she finds that an error in computation or identity has occurred in connection therewith, or that wages of the claimant pertinent to such determination, but not considered in connection therewith, have been newly discovered, or that benefits have been allowed or denied or the amount of benefits fixed on the basis of misrepresentations of fact, but no such redetermination shall be made after two years from the date of the original determination. Notice of any such redetermination shall be promptly given to the parties entitled to notice of the original determination, in the manner prescribed in section 48-630 with respect to notice of an original determination. If the amount of benefits is increased or decreased upon such redetermination, an appeal therefrom solely with respect to the matters involved in such increase or decrease may be filed in the manner and subject to the limitations provided in section ~~48-633~~. 48-634. Subject to the same limitations and for the same reasons, the Commissioner of Labor may reconsider the determination, in any case in which the final decision has been rendered by an appeal tribunal or a court, and may apply to the tribunal or court which rendered such final decision to issue a revised decision. In the event that an appeal involving an original determination is pending as of the date a redetermination thereof is issued, such appeal, unless withdrawn, shall be treated as an appeal from such redetermination.

Sec. 2. Original section 48-631, Reissue Revised Statutes of Nebraska, is repealed.